

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

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November 21 2007

Decision of No Substantial New Information North Slope Foothills Areawide 2008 Oil and Gas Lease Sale Best Interest Finding

Under AS 38.05.035(e)(6)(F), a written finding is not required for an oil and gas lease sale of acreage subject to a best interest finding issued within the previous 10 years unless the commissioner determines that substantial new information has become available that justifies a supplement to the most recent best interest finding. The final finding for the North Slope Foothills Areawide was issued on February 7, 2001, and supplemented on January 30, 2002. On June 20, 2007, the Alaska Department of Natural Resources (ADNR), Division of Oil and Gas (DO&G) issued a Call for New Information regarding its proposal to offer all available state acreage in the Alaska Peninsula Areawide and North Slope Foothills Areawide Oil and Gas Lease Sales. The purpose of the call was to provide an opportunity for interested parties to submit to DO&G any substantial new information that has become available since issuance of best interest findings for these areas

In response to the call, DO&G received one comment from the U.S. Fish and Wildlife Service (USFWS). USFWS listed 32 species of Birds of Conservation Concern, which it says without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act. Of the 32 species listed for both sale areas, 10 breed in the North Slope Foothills Areawide Lease Sale area and two, the laysan albatross and the black-footed albatross, occur in, but do not breed in the area. All but those two species are already listed in Table 3.2 titled "Bird Observed in the Vicinity of the Sale Area" in the 2001 final finding for the North Slope Foothills Areawide. USFWS also listed Anaktuvuk Pass as a community that could be affected by oil and gas development activities in the North Slope Foothills Areawide 200 Oil and Gas Lease Sale. The 2001 final finding devotes a subsection to Anaktuvuk Pass in Chapter Four, under the section titled "Subsistence Hunting, Fishing and Trapping."

ADNR has carefully reviewed the information submitted by USFWS and has determined that no substantial new information has become available that justifies a supplement to the most recent best interest finding to the North Slope Foothills Areawide Oil and Gas Lease Sale.

A person affected by this decision who provided timely written comment may request reconsideration, in accordance with 11 AAC 02. Any reconsideration request must be received by December 11, 2007, and may be mailed or delivered to Thomas E. Irwin, Commissioner, Department of Natural Resources, 550 W. 7th Avenue, Suite 1400, Anchorage, Alaska 99501; faxed to 1-907-269-8918, or sent by electronic mail to dnr.appeals@alaska.gov. If reconsideration is not requested by that date or if the commissioner does not order reconsideration on his own motion, this decision goes into effect as a final order and decision on December 24, 2007. Failure of the commissioner to act on a request for reconsideration within 30 days after issuance of this decision is

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a denial of reconsideration and is a final administrative order and decision for purposes of an appeal to Superior Court. The decision may then be appealed to Superior Court within a further 30 days in accordance with the rules of the court, and to the extent permitted by applicable law. An eligible person must first request reconsideration of this decision in accordance with 11 AAC 02 before appealing this decision to Superior Court. A copy of 11 AAC 02 may be obtained from any regional information office of the Department of Natural Resources.



Thomas E. Irwin
Commissioner

cc: Ann G. Rappoport, Field Supervisor, United State Department of the
Interior, Fish and Wildlife Service [605 W. 4th Rm G-61, Anchorage, Alaska
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